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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

ALI G. ALMEDA, et al.,

Defendants.

Case No. 2:13-cr-00417-KJD-GWF

STIPULATION TO CONTINUE HEARING

IT IS HEREBY STIPULATED AND AGREED between Daniel G. Bogden, United States Attorney for the District of Nevada, and James Keller, Assistant United States Attorney, counsel for the United States, and Julian Gregory, Esq., counsel for defendant Ali Almeda, that the motion hearing on Mr. Almeda's suppression motion (Dkt. #75) currently scheduled for May 23, 2016, at 9:30 AM, be vacated and rescheduled to a date and time convenient to the Court, but not earlier than twenty-eight days from the date of this stipulation. This stipulation is entered into for the following reasons:

- 1) Defense counsel Julian Gregory is appointed as standby counsel in a case before Judge Dorsey, *United States v. Charles Edward Cooper III*, 2:14-cr-00228, and Mr. Cooper has announced ready at calendar call for trial beginning May 23, 2016, at 9:00 AM.
- 2) Defense counsel Julian Gregory has spoken to his client, Ali Almeda, who is in custody and has no objection to this continuance.
- 3) The additional time requested is not sought to cause undue delay or for any improper purpose.

1 4) Denial of this request for a continuance would require defense counsel to delay
2 trial in another matter before a court of this jurisdiction.

3 This is the first such stipulation in this case.

4
5 DATED this 13th of May, 2016.

6 /s/ James Keller

7 DANIEL G. BOGDEN, ESQ.

8 JAMES KELLER, ESQ.

9 **UNITED STATES ATTORNEY'S OFFICE**

DISTRICT OF NEVADA

Attorneys for the United States of America

10
11 DATED this 13th of May, 2016.

12 /s/ Julian Gregory

13 JULIAN GREGORY, ESQ.

LAW OFFICE OF JULIAN GREGORY, L.L.C.

Attorney for Ali Almeda

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UNITED STATES OF AMERICA,

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vs.

ALI G. ALMEDA, et al.,

Defendants.

**FINDINGS OF FACT, CONCLUSIONS OF
LAW, AND ORDER**

FINDINGS OF FACT

Based on the stipulations of the parties, and good cause appearing therefore, the Court finds that:

- 1) Defense counsel and the Government have communicated regarding the trial, current negotiations, and other issues.
- 2) The hearing regarding Defendant Ali Almeda's Motion to Suppress Evidence in this case is currently scheduled for May 23, 2016.
- 3) Defense counsel is required to be present for trial before Judge Dorsey in *United States v. Charles Edward Cooper III*, 2:14-cr-00228.
- 4) Defense counsel has conferred with the Defendant and he does not object to the continuance.
- 5) The additional time requested is not sought to cause undue delay or for any improper purpose.
- 6) Denial of this request for a continuance would unduly impact another court's docket.


CONCLUSIONS OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense in a speedy hearing, because the failure to grant said continuance would require defense counsel to be in two courts at once.

ORDER

IT IS THEREFORE ORDERED that the motion hearing currently scheduled for May 23, 2016, at 9:30 AM, be vacated and continued to the 5th day of July, 2016, at the hour of 9:30 a.m.

DATED this 16th of May, 2016.



GEORGE FOLEY, JR.
UNITED STATES MAGISTRATE JUDGE
DISTRICT OF NEVADA